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| In the Matter of | ) | |
| | ) | |
| Targeted Comment on Wireless | ) | CC Docket No. 94-102 |
| E911 Phase II Automatic Location | ) | |
| Identification Requirements | ) | |

COMMENTS OF

*METROCOM.COM., Inc.*
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On behalf of METROCOM.COM.Inc., I hereby file the acccompanying comments (in both written and 3.5 floppy formats) on 17 June 1999, in response to FCC Public Notice, DA 99-1049, WIRELESS TELECOMMUNICATIONS BUREAU REQUESTS TARGETED COMMENT ON WIRELESS E911 PAHSE II AUTOMATIC LOCATION IDENTIFICATION REQUIREMENTS.

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17 June 1999

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In the Matter of )
Request for Comment DD 99-1049 )
Targeted Comment on Wireless ) CC Docket No. 94-104
E911 Phase II Automatic Location )
Identification Requirements

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# COMMENTS

DATE: June 17, 1999

## EXECUTIVE SUMMARY

The following constitute the response of *METROCOM.COM, Inc.* to the FCC document referenced above, entitled "Compatibility of Wireless Services With Enhanced 911; Request for Comment on Wireless E911 Phase II Automatic Location Identification Requirements." Our comments emphasize the fact that technology exists to completely satisfy the FCC requirements for Phase II. Thus, no waivers are necessary nor required. In particular, handsets, of which there are 80 million in the U.S. today, can be accommodated without modification. Thus, they need not be replaced. Therefore to set a handset standard which would preclude other more economical, more technologically superior network solutions is just plain wrong. To plunge into a regulatory situation whereby the FCC is time-pressured into making unwise waivers and exceptions; and, more importantly, exclusionary standards that affect the rest of the industry is not in the best long-term interests of the FCC nor of the cellular phone industry and certainly not of the public which it serves.

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*The following, numbered Comments correspond to the numbered paragraphs in the notice of Request for Comments, FCC Document 64 CFR 31530.*

**CC Docket No. 94-102;DA 99-1049**

1) The Commission established very specific guidelines for the cellular carriers and suppliers. When we asked for an interpretation we were referred to the Commission's statements. We have accepted these statements and are prepared to meet the requirements. We do not believe further clarification is necessary. This particularly applies to Phase II of the Commission order.

2) *METROCOM.COM* offers a system that meets the Commission's requirements. Any cellular handset now in use will work on the *METROCOM* system including roaming. Handset turnover will drop as the market starts to saturate and the users better understand cell phone use. It is a falsehood to represent that turnover will solve the problem of forcing the public to buy or obtain new phones to support a possible standard that would obsolete 80 million phones. The return, if any, does not justify the cost to the public. Witness the slow reduction in rotary dial phones over the past 20 years.

3) Technology to meet the Commission requirements is available now. It is not in the public interest to delay the E911 service for four years. Too many lives are at stake.

4) We repeat - the delay is not justified. If the vendor can't get his engineering done on time he should be considered non-competitive. Location capable handsets should be evaluated primarily on the coverage and the accuracy of the system they are a part of. When location capable handsets are included in a systems proposal, then the coverage maps or GPS penetration information needs to be included. It is generally well known that
GPS coverage is poor in cities, cars, tunnels, buildings, valleys, in pockets or on your belt. Therefore, if the coverage is so poor, justification is needed to show how the public is served via a system with such a poor foundation, and not when the carrier plans to deploy the system.

5) We submit that solutions are available NOW to meet the Commission schedule. A four year delay will cost too many lives. The deployment approach of any system is not relevant. The public interest is served if there is a clear migration path for technological change. The Commission has made many landmark decisions where the public interest was served, and technology progressed. The introduction of color television, Touch Tone telephones, and spectrum management issues have all been successful because hybrid technology was incorporated. There is no single point of failure in the system. Handset based location depends on the GPS system to be operational. Will this always be true? There is sufficient opportunity in any Commission decision to promote others to get into the business. Creating competition is healthy.

6) The evolution of technology or migration path will solve this problem. If the Commission feels compelled to stipulate an improvement schedule, we're sure the qualified vendors will cooperate in establishing such a schedule.

7) We agree with item No. 7 - the Commission can achieve its goals without any changes.

8) The proposals are not in keeping with the public interest. In addition, cellular compan-ies who offer Phase II service will have an opportunity to offer numerous public safety services beyond the E911 program. It is improper to deprive the public of these services.

9) It would appear that the proponents of a handset based solution find it necessary to sluff off several important factors relating to every day service requirements. The roamer problem is here now and in volume and there is no assurance of so-called handset churn. It is unrealistic to rely on possible but not probable occurrences to solve this major problem. In our opinion the partial information the PSAPs would receive using just the Phase I information is of no value when the caller cannot indicate the location.

10) The handset turnover issue deserves serious consideration. As the market starts to saturate the handset turnover will inevitably drop. The industry is rapidly passing the stage where the novelty of a new handset results in the purchase of a new handset. We are now in the area where the handset is a utility item. Having the latest handset has lost its prestige value. Older handsets must be considered when evaluating this program. In our opinion the cost would be too great and the time involved too long.

11) We can not comment on the Sprint proposal except to note that it appears to offer a Band-Aid of questionable quality when a cheaper and better solution is at hand.

12) CEP allows for larger peak errors than some RMS approaches.

## ADDITIONAL COMMENTS

1) HANDSET CHURN

The reported churn of handsets is 3 years. This is for 67 percent of the telephones. Caution should be exercised here. At least 5 times the time should be used for "reasonable" churn estimates. This means coverage may be adequate at 15 years from October 2001. Remember, there are still rotary telephones and black and white televisions in use today. The subscriber ultimately pays for any plan to accelerate the deployment of handsets. No acceleration should be considered.

2) CURRENT TECHNOLOGY EXISTS

The FCC requirements with respect to positioning accuracy and frequency of determination [100 meters; 67% of the time] are attainable using current technology. *METROCOM.*COM, has a technical solution to this problem which employs a combination of proven and available technologies and procedures to obtain the accuracy specified within the probabilistic requirements of the FCC [100 meters; 67% of the time].

3) NO NEED TO MODIFY HANDSETS

The statements that a new handset is required containing proprietary chips capable of determining location using a Global Positioning System flies in the face of current technological reality. The technological solution we have presently devised will employ transmissions from current hand-held sets as they exist - without the need for costly handset replacement.

4) GLOBAL POSITIONING SYSTEM ALONE IS NOT THE ANSWER

Although it can be shown that a Global Positioning System (GPS) can provide the location information specified under certain ideal conditions, even its proponents must readily admit that GPS does not work in any occluded area including tunnels; inside buildings; underneath trees; or, in fact, inside automobiles - unless, of course the automobile is a convertible with the top down. The GPS receiver must be placed in a strategic position such that it may receive transmissions from satellites without obstruction of buildings or other structures. Therefore, this solution is severely limited and must not be considered as the total solution to anything.

5) CURRENT ANTENNAE MAY BE USED

In our system we make use of currently available receiving equipment that is in place and currently installed by the cellular companies. Although new equipment will be added to it to implement our solution, no new towers need be built. Consequently the economics of employing a system such as ours is particularly attractive to the cellular companies - hard-pressed to financially justify the addition of more services with their correlative expense.

6) NO EXCLUSIVE STANDARDS NEED BE SET

It stands to reason that any setting of standards excluding other technologies is not only unfair, it prevents technological innovation and the pursuit of better, cheaper, more satisfactory solutions. To set, for example, a handset standard which would preclude other more economical, more technologically superior network solutions is just plain wrong.

7) HASTE MAKES MORE THAN WASTE

To plunge into a regulatory situation whereby the FCC is time-pressured into making unwise waivers and exceptions, and, more importantly, exclusionary standards that affect the rest of the industry is not in the best long-term interests of the FCC nor of the cellular phone industry and certainly not of the public which it serves.

We stand ready to expand on our technology and will assist the FCC in researching these issues in order to reach a more informed and accurate opinion.

For questions, please address:

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